

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PRINCE S. BEAL,

Defendant.

4:16CR3075

**FINDINGS, RECOMMENDATION
AND ORDER**

For the reasons stated at the conclusion of the evidentiary hearing, and consistent with the Eighth Circuit's decisions in [United States v. Gipp, 147 F.3d 680, 686 \(8th Cir. 1998\)](#); [United States v. Turner, 157 F.3d 552, 555-56 \(8th Cir. 1998\)](#); [United States v. Martin, 28 F.3d 742, 745 \(8th Cir. 1994\)](#); and [United States v. Rambo, 789 F.2d 1289, 1297 \(8th Cir.1986\)](#).

IT HEREBY IS RECOMMENDED to the Honorable John M. Gerrard, United States District Judge, that defendant's motion to suppress, (Filing No. 29), be denied in its entirety.

FURTHER, IT HEREBY IS ORDERED:

1. The clerk shall cause a transcript of the hearing to be prepared and filed.
2. Counsel are given fourteen (14) days from the date the transcript is available to counsel for reading in the clerk's office in which to file objections to this recommendation. The parties are notified that failure to object may be deemed a waiver of the right to appeal the district judge's adoption of the recommendation.
3. Trial of this matter is set to commence at 9:00 a.m. on January 30, 2017 before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, United States Courthouse and Federal Building, 100

Centennial Mall North, Lincoln, Nebraska. Jury selection will be held at commencement of trial.

Dated this 13th day of December, 2016

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge